

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-- against --

**BARRY C. HONIG, JOHN STETSON,
MICHAEL BRAUSER, JOHN R. O'ROURKE III,
MARK GROUSSMAN, PHILLIP FROST,
ROBERT LADD, ELLIOT MAZA, BRIAN KELLER,
JOHN H. FORD, ALPHA CAPITAL ANSTALT, ATG :
CAPITAL LLC, FROST GAMMA INVESTMENTS :
TRUST, GRQ CONSULTANTS, INC., :
HS CONTRARIAN INVESTMENTS, LLC, :
GRANDER HOLDINGS, INC., MELECHDAVID, :
INC., OPKO HEALTH, INC., :
SOUTHERN BIOTECH, INC., and :
STETSON CAPITAL INVESTMENTS INC., :**

Defendants.

18 Civ. 8175 (ER)

ECF CASE

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STIPULATION AND [PROPOSED] ORDER

WHEREAS, Plaintiff Securities and Exchange Commission (the "Commission") has advised counsel for Defendants Barry C. Honig, John Stetson, Michael Brauser, John R. O'Rourke III, Mark Groussman, Phillip Frost, Robert Ladd, Elliot Maza, Alpha Capital Anstalt, ATG Capital LLC, Frost Gamma Investments Trust, GRQ Consultants, Inc., HS Contrarian Investments, LLC, Grander Holdings, Inc., Melechdavid, Inc., OPKO Health, Inc., and Stetson Capital Investments Inc., and Brian Keller, appearing pro se (collectively, "Defendants"), that it wishes to amend its Complaint in this action; and

WHEREAS, Defendants consent to the filing of an Amended Complaint; and

WHEREAS, certain Defendants have indicated that they may wish to file Motions to dismiss the Amended Complaint;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff, Securities and Exchange Commission ("Commission"), and Defendants, either individually or through their respective attorneys, that:

1. Defendants consent to the Commission's filing of an Amended Complaint.
2. The Commission shall file its Amended Complaint on or before January 4, 2019.
3. The Commission and any Defendant who wishes to file a Motion to dismiss the

Amended Complaint shall be governed by the following briefing schedule:

(a) Any Defendant moving to dismiss the Amended Complaint shall serve and file its Motion and supporting papers by February 28, 2019;

(b) The Commission shall serve and file its Opposition papers by March 28, 2019; and

(c) Moving Defendants shall serve and file their respective Reply papers by April 22, 2019.

Dated: New York, NY
December 5, 2018

JOHN STETSON, HS CONTRARIAN
INVESTMENTS, LLC, and STETSON
CAPITAL INVESTMENTS INC.

By: 

Milbank, Tweed, Hadley & McCloy LLP
28 Liberty Street
New York, New York 10005-1413
212-530-5000

Attorneys for Defendants John Stetson, HS
Contrarian Investments, LLC, and Stetson
Capital Investments Inc.

SECURITIES AND EXCHANGE
COMMISSION

By: 

Nancy A. Brown

200 Vesey Street
Suite 400
New York, NY 10281
212-336-1023

Attorneys for Plaintiff Securities and Exchange
Commission

**BARRY C. HONIG and GRQ
CONSULTANTS, INC.**

By: Michael Osnato ^{ARP}

**Simpson Thacher & Bartlett LLP
425 Lexington Avenue
New York, New York 10017
212-455-2200**

**Attorneys for Defendants Barry C. Honig and
GRQ Consultants, Inc.**

**MICHAEL BRAUSER and GRANDER
HOLDINGS, INC.**

By: _____

**Sallah Astarita Cox, LLC
3010 N. Military Trl #210
Boca Raton, Florida 33431
561-989-9020**

**Attorneys for Defendants Michael Brauser and
Grander Holdings, Inc.**

**JOHN R. O'ROURKE III and ATG CAPITAL
LLC**

By: _____

**Orrick, Herrington & Sutcliffe LLP
51 W. 52nd Street
New York, NY 10019-6142
212-506-3552**

**Attorneys for Defendants John R. O'Rourke III
and ATG Capital LLC**

ELLIOT MAZA

By: _____

**Petrillo Klein & Boxer LLP
655 Third Avenue, 22nd Floor
New York, NY 10017
212-370-0330**

Attorneys for Defendant Elliot Maza

**PHILLIP FROST and FROST GAMMA
INVESTMENTS TRUST**

By: _____

**Morvillo Abramowitz Grand Iason & Anello
PC
565 Fifth Avenue
New York, NY 10017
212-880-9520**

**Attorneys for Defendants Phillip Frost and
Frost Gamma Investments Trust**

**MARK GROUSSMAN and
MELECHDAVID, INC.**

By: _____

**Kaplan Hecker & Fink LLP
350 Fifth Avenue
Suite 7110
New York, NY 10118
212-763-0883**

**Attorneys for Defendants Mark Groussman
and Melechdavid, Inc.**

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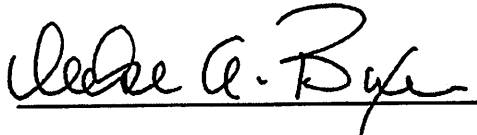
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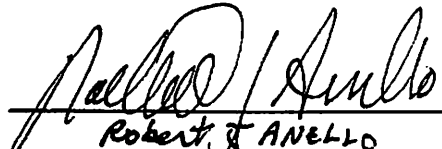
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and Melechdavid, Inc.**

ROBERT LADD

BRIAN KELLER

By: 

By: _____

Wilmer Cutler Pickering Hale and Dorr LLP
350 South Grand Avenue, Suite 2100
Los Angeles, CA 90071
213-443-5301

Brian C. Keller
5058 Nortonville Way
Antioch, CA 94531
925-783-1386

Attorneys for Defendant Robert Ladd

Pro Se

ALPHA CAPITAL ANSTALT

OPKO HEALTH, INC.

By: _____

By: _____

Dechert LLP
1095 Avenue of the Americas
New York, NY 10036
212-698-3599

Cleary Gottlieb Steen & Hamilton LLP
2000 Pennsylvania Avenue, NW
Washington, DC 20006
202-974-1680

Attorneys for Defendant Alpha Capital
Anstalt

Attorneys for Defendant OPKO Health, Inc.

SO ORDERED:

UNITED STATES DISTRICT JUDGE

ROBERT LADD

BRIAN KELLER

By: _____

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Wilmer Cutler Pickering Hale and Dorr LLP
350 South Grand Avenue, Suite 2100
Los Angeles, CA 90071
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Antioch, CA 94531
925-783-1386

Attorneys for Defendant Robert Ladd

Pro Se

ALPHA CAPITAL ANSTALT

OPKO HEALTH, INC.

By: _____

By: Matthew C. Solomon / AJJ

Dechert LLP
1095 Avenue of the Americas
New York, NY 10036
212-698-3599

Cleary Gottlieb Steen & Hamilton LLP
2000 Pennsylvania Avenue, NW
Washington, DC 20006
202-974-1680

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